

REMARKS

Favorable reconsideration of the present application is respectfully requested. Claims 1, 8 and 14 have been amended. A replacement sheet for FIG. 1 has been provided. Applicants believe that the claims, as now presented, are clearly allowable.

FIG. 1 has been amended to correct the application of reference numerals 140 and 160 to be consistent with the specification, for example, paragraphs [0033], [0040], and [0041]. No new matter has been added. Applicants respectfully request that the replacement drawing be approved.

Claims 1, 3-8, 10-14 and 16-20 are rejected under 35 USC 102(e) as being anticipated by Eglington (United States Patent Application Publication Number 2002/0091687). Applicants have amended the claims to overcome the rejection and respectfully request that the Examiner withdraw the rejection.

Regarding Claim 1, Claim 1 has been amended to recite, *inter alia*:

“generating an order for the clinical action based on input from the clinician with respect to the practice information and that complies with all billing requirements of a payor.”

Support for the amendment can be found in at least paragraphs [0041] and [0059] in the originally filed specification. In contrast, Eglington does not disclose generating an order for the clinical action based on input from the clinician with respect to the practice information and that complies with all billing requirements of a payor. Therefore, Eglington does not disclose or suggest every element of amended Claim 1 and the § 102(e) rejection of Claim 1 is believed to be overcome. Accordingly, Applicants respectfully request that the Examiner formally withdraw the § 102(e) rejection of Claim 1, and Claims 3 to 7 that depend therefrom.

Regarding Claim 8, Claim 8 has been amended to recite, *inter alia*:

“a best-practice subsystem operable to determine a clinical context for the order and provide pre-determined practice information for enacting the

order, based on the clinical context, the best practice subsystem including a billing compliance subsystem to ensure that the order request from the clinician complies with all billing requirements of a payor before generating the order.”

As with Claim 1, support for the amendment to Claim 8 can be found in at least paragraphs [0041] and [0059] in the originally filed specification. Likewise, in contrast, Eglington does not disclose a best-practice subsystem operable to determine a clinical context for the order and provide pre-determined practice information for enacting the order, based on the clinical context, the best practice subsystem including a billing compliance subsystem to ensure that the order request from the clinician complies with all billing requirements of a payor before generating the order. Therefore, Eglington does not disclose or suggest every element of amended Claim 8 and the § 102(e) rejection of Claim 8 is believed to be overcome. Accordingly, Applicants respectfully request that the Examiner formally withdraw the § 102(e) rejection of Claim 8, and Claims 10 to 13 that depend therefrom.

Regarding Claim 14, Claim 14 has been amended to recite, *inter alia*:

“a fourth code segment for generating the medical order based on a practice method chosen by the clinician after ensuring that the medical order complies with all billing requirements of a payor before generating the order.”

As with Claims 1 and 8, support for the amendment to Claim 14 can be found in at least paragraphs [0041] and [0059] in the originally filed specification. Once again, in contrast, Eglington does not disclose a fourth code segment for generating the medical order based on a practice method chosen by the clinician after ensuring that the medical order complies with all billing requirements of a payor before generating the order. Therefore, Eglington does not disclose or suggest every element of amended Claim 14 and the § 102(e) rejection of Claim 14 is believed to be overcome. Accordingly, Applicants respectfully request that the Examiner formally withdraw the § 102(e) rejection of Claim 14, and Claims 16 to 20 that depend therefrom.

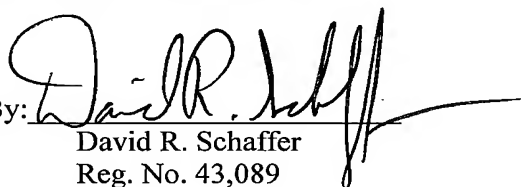
Claims 2, 9 and 15 are rejected under 35 USC 103(a) as being unpatentable over Eglington in view of Mitchell et al. (United States Patent Number 6,684,188) and depend, respectively, from independent Claims 1, 8 and 14. Mitchell et al. fails to make up for the deficiency of Eglington and also fails to teach or suggest all of the elements of amended Claims 1, 8 and 14. Therefore, for at least those reasons given above in relation to Eglington for independent Claims, 1, 8 and 14, the § 103(a) rejections of Claims 2, 9 and 15 are also believed to be overcome. Accordingly, the Examiner is respectfully requested to withdraw the §103 rejection of Claims 2, 9 and 15.

Therefore, all of the grounds of rejection under 35 U.S.C. §§ 102(e) and 103(a) are believed to be overcome and withdrawal of the rejections is respectfully requested. Accordingly, Applicants believe that the claims are now allowable and respectfully request that the Examiner issue a Notice of Allowance for the currently pending claims.

All claims as currently presented are believed to be in condition for allowance. Passage of the application to issue at an early date is earnestly solicited.

Respectfully submitted,

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